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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/008,354 01/16/98 MENDEZ

D 40827.00002

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LM01/0921

EXAMINER

MIZRAHI, D

ART UNIT

PAPER NUMBER

2771

DATE MAILED:

09/21/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/008,354

Applicant(s)

Daniel J. Mendez

Examiner

Diane Mizrahi

Group Art Unit

2771



☒ Responsive to communication(s) filed on Jan 16, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Jan 16, 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892 ✓

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 16

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**III. DETAILED ACTION**

1. Claims 1-21 are presented for examination.
2. The information disclosure statements filed on 10-13-98, 10-23-98, 10-26-98, 10-23-98, 12-23-98, 12-23-98, 1-11, 99, 2-16-99, 2-16-99, 2-22-99, 5-13-99, 5-24-99, and 6-10-99 complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond S. Reed et al. (5,862,325 and Reed hereinafter) in view of David W. Deaton et al. (5,432,999 and Deaton hereinafter).
5. Regarding Claims 1, 10, 20 and 21 Reed teaches a system and associated method.

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The method and associated system as taught or suggested by Reed includes:

requesting a workspace data manager to enable manipulation of data (col 143, lines 18-45); synchronizing the manipulated data stored in a remote site (col 6, lines 49-67 to col 7, lines 1-11); a communication module (Figure 1); application program interface (Figure 2); a general synchronization module (Figure 7).

Reed does not expressly teach downloading from a remote site.

Deaton teaches downloading from a remote site (col 36, lines 36-53).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Reed with the teachings of Deaton to include downloading from a remote site with the motivation for verifying customer information such as credit verification status and for the customer targeting marketing (Deaton, Col 1, lines 55-63).

6. Regarding Claims 2, 4 and 5, the limitations of these claims have been noted in the rejection above. In addition, Deaton teaches interface (i.e. communication interface) (col 11, lines 23-29).

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Deaton does not expressly teach creating an instance.

Reed teaches creating an instance (Figure 1, #35).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Deaton with the teachings of Reed to creating an instance with the motivation for the execution of a program or decompile.

7. Regarding Claim 3, Reed teaches using the workspace data manager interface to request synchronization (Figure 1).

8. Regarding Claims 6-9 and 11-19, the limitation of these claim have been noted in the rejection above. They are therefore rejected as set forth above.

**Other Prior Art Made of Record**

9. Amado (5,701,400) discloses a method and apparatus for applying if-then-else rules to data sets in a relational data base and generating from the results of application of said rules a database of diagnostics linked to said data sets to aid executive analysis of financial data.

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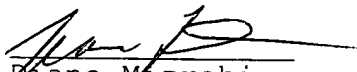
Conclusion

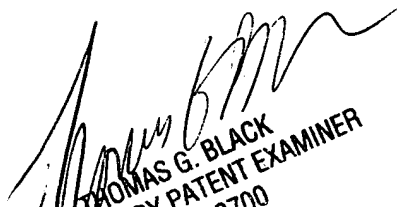
10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Points of Contact

11. Any inquiry concerning this communications from the examiner should be directed to Diane Mizrahi whose telephone number is (703) 305-3806. The examiner can normally be reached on Monday to Thursday from 7:30 AM. to 5:00 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-9707. The fax phone number for this group is (703) 308-5403.

  
Diane Mizrahi  
Patent Examiner

  
THOMAS G. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 2700

September 17, 1999